

# NORTH BERWICK PLANNING BOARD

## MINUTES OF PLANNING BOARD SEPTEMBER 28, 2017

**Present:** Chairman Geoffrey Aleva, Barry Chase, Anne Whitten, Jon Morse, David Ballard, Matthew Qualls, Roger Frechette, CEO

**Also Present:** Ryan McCarthy

1. Call To Order:

Chairman Geoffrey Aleva called the meeting to order at 6:30 pm.

2. Review Previous Minutes:

Matthew Qualls stated that on Page 2 in the last sentence of the 3<sup>rd</sup> paragraph, there should be comma after the word property. It should read as follows: “He stated that the neighbor has a shed that actually comes over onto Mrs. Graham’s property, so if he doesn’t buy the small parcel, the neighbor will have to move the shed.”.

Matthew Qualls motioned to approve the minutes from September 14, 2017 as amended. David Ballard seconded the motion. VOTE: 4-0 Abstain: 2

3. Current Business:

3.1 Amendment to Conditional Use Permit for Aroma Joe’s & North Berwick Car Wash Tax Map 22 Lot 74-1 to include Modifications to Sewer Configuration and Modifications to the Driveway Entrance Curbing

Chairman Aleva stated the Board members had information from the applicant as well as a memo from Dwayne Morin. Ryan McCarthy did not have a copy of the memo from Dwayne so the CEO gave him one to look over.

Ryan McCarthy from Tidewater Engineering and Surveying is here to represent Rockwell Homes. He stated that they did the original design for this project and he is here tonight regarding a few minor adjustments. Mr. McCarthy stated that the first issue has to do with the sewer service coming into the property. They modified it to have a main trunk line that extends out to a manhole in the back of the property. The main reason they are doing this is because Rockwell Homes also owns the property out back so if they choose to develop the property they will have access to sewer in the future.

The second issue is regarding the curbing. Mr. McCarthy stated that, in our Ordinance, there is a requirement that any of the curbing outside of the private property or inside of the right of way needs to be granite curbing. Anything inside of the property can be granite, slip form concrete. The curbing at the entrance of the lot wraps around and delves down into the sidewalk at both ends. This leaves a small 4 foot segment that would be granite on the original approved plan. They are asking to be able to do slip form concrete because they think it will look better.

Mr. McCarthy stated that the last issue is regarding what he just read in Dwayne's memo regarding the water service. He said that Dwayne had called him this morning and told him that the Water District has some concerns with coverage. Apparently they were not aware when the service was installed that there is a detention pond in the front of the parcel between the bypass lane and the concrete sidewalk that the service passes over. The Water District is concerned about cover over the pipe. He stated that the location of this water service also doesn't go how it is shown on the plan. It actually turns and comes into the front of the Aroma Joe's. This puts more of the service under the detention pond. He said that they do not know right now what all of the facts are such as what the actual cover is over the pipe or if there is insulation over it. Mr. McCarthy stated that they will find out in the next week or so and will be in direct contact with the Water District to see if there is adequate cover.

Mr. McCarthy said that because the water line is not exactly how it was on the plan, they do not want to have to come back before the Board and change it with a formal amendment. They are asking that the Board allows for the service to be installed as it is now and at the end of the process, when they do their as built plans, they will reflect the updated location. Chairman Aleva stated that this made sense to him.

Jon Morse asked if they had found a water stub on the road that they will connect to. Mr. McCarthy stated that they have already connected to it. The water shut off is right at the road and they have run the 2 inch plastic pipe to and into the building. Mr. Morse asked what the elevation of the connector was. Mr. McCarthy said that, at the connection, it was 5 feet down from the road surface according to the Water District. He said that as it crosses under the detention pond, the cover might be 3 feet. He said that if they put in 2 inches of insulation, it should be adequate cover.

Anne Whitten asked for clarification regarding not coming back before the Board regarding the water line. Mr. McCarthy stated that the water line is not installed per the plan. They have it coming in from the back into the mechanical room and the car wash. Right now, the way it is installed is that it comes over and into the front of the building instead. Technically this would be a change to the approved plan. They would like to show the actual location on the as built plan and have the Board make it a condition of the approval tonight to allow the change in the location for the water service. Chairman Aleva said that request like this are typical. He said that sometimes there are field changes and as long as it gets reflected on the final as built plan it is usually acceptable. Chairman Aleva said that they will have to submit a plan similar to what they have tonight but it will show where everything is built and located. Roger Frechette said

that he would recommend that before occupancy, the Water District is satisfied with where it is and the way it is done and that they submit an as built plan.

Barry Chase motioned to approve an amendment to the Conditional Use Permit for Aroma Joe's to allow the following:

1. Allow slip form concrete curb down to the sidewalk. The applicant will be responsible for the upkeep of it to the main road.
2. Allow the sewer line to be in the back of the property.
3. Allow them to make the modifications to the water line as required by the Water District. A letter from the Water District will need to be given to the CEO prior to occupancy.

Jon Morse seconded the motion. VOTE: 5-0

4. Other Business:

Chairman Aleva asked Roger if there was anything else they needed to discuss. Roger said there was nothing more tonight. They do have a 3 lot subdivision on Somersworth Road that will be coming before them. They are rescheduling the Public Hearing for the 5 lot subdivision because the Sewer District will not give them a letter for capacity until they meet with the Trustees. They do not have all of the information yet to have a Public Hearing. There is also a change of use that will be happening at 51 Elm Street. It will be going from a realtor's office to a medical marijuana sales place. The attorneys have said that he can grow and sell from different places.

5. Adjournment:

Anne Whitten motioned to adjourn the meeting at 6:48 pm. Jon Morse seconded the motion. VOTE: 5-0

Roger Frechette  
Planning Coordinator

Respectively submitted,  
Susan Niehoff, Stenographer

Chairman Geoffrey Aleva

Barry Chase

Jon Morse

Anne Whitten

Matthew Qualls

David Ballard